

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: May 12, 2006]²

Bill No. and sponsor: H.R. 3241 (Mr. Steve Buyer of Indiana).

Proponent name, location: Dow Agrosiences LLC, Indianapolis, IN.

Other bills on product (109th Congress only): None.

Nature of bill: Extends temporary duty reduction through December 31, 2008.

Retroactive effect: None.

Article description(s) (including appropriate HTS classification(s)):

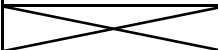
α -Butyl- α -(4-chlorophenyl)-1*H*-1,2,4-triazole-1-propanenitrile (Myclobutanil) (CAS No. 88671-89-0)
(provided for in subheading 2933.99.06).

Check one: ☐ Same as in the HTS heading(s) in the bill as introduced.
 ☒ Different from the HTS heading(s) in the bill (see Technical comments).

Product information, including uses/applications and source(s) of imports:

The subject product is a synthetic organic fungicide that is used on turf grass, grapes, vegetables, and tree fruit. The subject product is imported from Finland.

Estimated effect on customs revenue:

HTS subheading: <u>2933.99.06</u>					
	2005	2006	2007	2008	2009
 Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$15,000,000	\$15,000,000	\$15,000,000	\$15,000,000	\$15,000,000
Customs revenue loss 1/	\$525,000	\$525,000	\$525,000	\$525,000	\$525,000

1/ The estimated Customs revenue loss is based on a reduction of the column 1-general rate of duty from 6.5 percent ad valorem to 3.0 percent ad valorem, a reduction of 3.5 percent. The estimated Customs revenue loss data for 2005 and 2006 reflect the existing duty reduction under HTS heading 9902.02.91 that expires on December 31, 2006.

Source of estimated dutiable import data: Industry estimates.

¹ Industry analyst preparing report: Stephen Wanser (202-205-3363); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm.

Contacts with domestic firms/organizations (including the proponent):

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
Dow Agrosciences LLC (Proponent) Max Turnipseed, 225-338-0310	9/12/2005	No	No	No
Atofina Cerex Charles Kitchin, Fax: 703-527-2092	9/12/2005	No	No	No
BASF Corp. Greg Thies, Fax: 202-558-5101	9/12/2005	No	No	No
Bayer CropScience Mike Gill, 202-508-8843	9/12/2005	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	9/12/2005	No	No	No
DuPont Nancy Johnson, Fax: 202-728-3649	9/12/2005	No	No	No
FMC Corp. Jerry Prout, Fax: 202-956-5235	9/12/2005	No	No	No
LANXESS Corp. James Schaeffer, Fax: 412-809-3614	9/12/2005	No	No	No
Monsanto Corp. Michael Parrish, Fax: 202-789-1867	9/12/2005	No	No	No
Syngenta Mike Blythe, Fax: 336-632-6084	9/20/2005	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	9/12/2005	No	No	No

Technical comments:³

The Commission suggests that HTS heading 9902.02.91 be amended to italicize the indicated hydrogen in the chemical name and to capitalize the common name.

³ The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

109TH CONGRESS
1ST SESSION

H. R. 3241

To reduce temporarily the duty on myclobutanil.

IN THE HOUSE OF REPRESENTATIVES

JULY 12, 2005

Mr. BUYER introduced the following bill; which was referred to the Committee
on Ways and Means

A BILL

To reduce temporarily the duty on myclobutanil.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. MYCLOBUTANIL.**

4 (a) IN GENERAL.—Heading 9902.02.91 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 myclobutanil) is amended—

7 (1) by striking “1.9%” and inserting “3.0%”;
8 and

9 (2) by striking “12/31/2006” and inserting
10 “12/31/2008”.

11 (b) EFFECTIVE DATE.—The amendment made by
12 subsection (a) applies to goods entered, or withdrawn from

- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of the enactment of this Act.

